



## U.S. Department of Justice

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### PRESS RELEASE

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### FORMER AMERICABLE COMPTROLLER CONVICTED ON 72 COUNTS

Marcos Daniel Jiménez, United States Attorney for the Southern District of Florida; Brian Wimpling, Special Agent in Charge, Internal Revenue Service, Criminal Investigation; and John Khin, Resident Agent in Charge, Defense Criminal Investigative Service, announced today that a federal jury, following a five-week trial before United States District Court Judge Patricia A. Seitz, convicted defendant, Alice Pirchesky, on seventy-two (72) counts of an Indictment charging her with offenses arising out of schemes to defraud the Internal Revenue Service ("IRS"), the United States Department of Defense ("DOD"), and numerous cable television networks, and to launder the proceeds of the fraud. The charges against Pirchesky arose from an investigation that focused on various frauds conducted in the course of the operations of Americable International, Inc. and other affiliated cable television companies controlled by co-defendant, Charles Hermanowski, and at which Pirchesky worked as the comptroller. On January 30, 2002, Hermanowski was arrested in Australia, where he remains in custody pending extradition proceedings.

Specifically, the jury convicted Pirchesky of the following counts: one (1) count of conspiring to defraud the DOD, in violation of Title 18, United States Code, Section 371; nine (9) counts of

submitting false claims to the DOD, in violation of Title 18, United States Code, Section 287; nine (9) counts of making false statements to the DOD, in violation of Title 18, United States Code, Section 1001(a)(2); one (1) count of conspiring to commit mail fraud by defrauding cable television networks, in violation of Title 18, United States Code, Section 371; twelve (12) counts of committing mail fraud by defrauding cable television networks, in violation of Title 18, United States Code, Section 1341; one (1) count of conspiring to launder the proceeds of the mail fraud scheme, in violation of Title 18, United States Code, Section 1956(h); twelve (12) counts of laundering the proceeds of mail fraud, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i); twelve (12) counts of conducting financial transactions in excess of \$10,000 with the proceeds of mail fraud, in violation of Title 18, United States Code, Section 1957; one (1) count of conspiring to defraud the IRS, in violation of Title 18, United States Code, Section 371; and fourteen (14) counts of aiding and assisting in the preparation of false tax returns, in violation of Title 26, United States Code, Section 7206(2). Pirchesky's sentencing hearing is set for December 15, 2004, before Judge Seitz.

In the early 1990s, the DOD began to close various military bases in the United States, including bases at which Americable companies had provided cable television service. In June 1997, five (5) Americable companies filed "Termination Settlement Proposals" ("TSPs) with the government in which they claimed to have incurred various costs at ten (10) closed bases for which they sought reimbursement. Pirchesky prepared the TSPs, which included costs that were based on false invoices for work that never had been performed and costs that never had been incurred by the Americable companies. The false invoices had been entered into the Americable accounting records either by Pirchesky personally or by employees of Americable's accounting department working at her direction. After the Americable companies submitted the TSPs, a DOD auditor was assigned to audit the TSPs. In response to the auditor's request for records, Pirchesky provided the auditor with false invoices totaling approximately \$8 million. An examination of the invoices concluded that the invoices were false.

The ensuing investigation also uncovered other fraud. The investigation revealed that false invoices would be entered into Americable's records with checks written against the invoices. Hermanowski would falsely endorse those checks and deposit them into bank accounts that he controlled. As comptroller of the Americable companies, Pirchesky would oversee the entry of the false invoices into the company records. She also wrote out many of the checks. The false invoices yielded approximately \$40 million in checks during 1995 and 1996 that Hermanowski falsely endorsed and deposited into his personal bank accounts. Hermanowski did not report any of these funds on his federal income tax returns for 1995 and 1996. The false invoices also allowed the Americable companies to claim \$5 million in false depreciation deductions for 1996. The \$5 million in false depreciation deductions further reduced Hermanowski's federal income tax liability for 1996. As comptroller, Pirchesky met with accountants who prepared the tax returns for the Americable companies and provided the false records that resulted in the inflated depreciation deductions.

The investigation also uncovered schemes to defraud the cable television networks and to launder the proceeds. Starting in the early 1990s, the Americable companies would defraud various cable television networks, such as A&E Television Network, Discovery Channel, ESPN, and MTV, as well as other nationally-known and regional networks, out of funds owed to them for providing their programming to Americable customers.

Mr. Jiménez commended the investigative efforts of the Internal Revenue Service, Criminal Investigation, the Defense Criminal Investigative Service, and the Defense Contract Audit Agency. The case is being prosecuted by Assistant United States Attorneys Michael Davis and Michele Korver.

A copy of this press release may be found on the website of the United States Attorney's Office for the Southern District of Florida at [www.usdoj.gov/usao/fls](http://www.usdoj.gov/usao/fls). Related court documents and information may be found on the website of the District Court for the Southern District of Florida at [www.flsd.uscourts.gov](http://www.flsd.uscourts.gov) or on <http://pacer.flsd.uscourts.gov>.

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